
Public Notice

Applicant:

Chemung County Soil and
Water Conservation District

Date:

Published: July 30, 2001

Expires: Aug. 29, 2001

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District **CELRB-CO-R RE:** 2001-01991(0) **Section:** NY 404

Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).

The Chemung County Soil and Water Conservation District, 851 Chemung Street, Horseheads, NY 14845, has applied for Department of the Army authorization to perform work within Jackson Creek in order to re-align the creek back to its 1995 course. Due to a number of large storm events in 1996, Jackson Creek has changed course and is endangering a barn and has caused the loss of a great deal of pasture. The project area is immediately adjacent to Jackson Creek Road, Town of Horseheads, Chemung County, New York.

The proposed activities would occur at four sites along a 2,500 linear foot section of the creek. Work will be performed with the use of a bulldozer which will be operated utilizing techniques to minimize impacts to the aquatic resource. All newly constructed channels will be created with a "parabolic" or dished centerline to concentrate flows. The proposed activities include:

Site 1: Remove four trees that are partially blocking the channel.

Site 2: Soften curve of stream which is eroding pasture. This will include skimming deposited gravel and use of on-site materials (100 cubic yards to be placed below the ordinary high water mark-OHW) to stabilize 150 linear feet of bank.

Site 3: Re-align stream that was impacted by the failure of an adjacent beaver dam. This will include the skimming of gravel and use of on-site material to stabilize two areas of bank erosion (97 cubic yards to be placed below the OHW). The areas to be stabilized are 180 and 80 linear feet.

Site 4: Re-align stream and remove two willow stumps which are impeding flow. The work will include skimming deposited gravel and stabilization of two areas of stream bank using on-site material (198 cubic yards to be placed below the OHW). The areas to be stabilized are 75 and 100 linear feet.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be

directed to Harold T. Keppner, who can be contacted by calling (716) 879-4120, or by e-mail at: harold.t.keppner@usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the New York State Department of Environmental Conservation.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, and should be marked to the attention of Harold T. Keppner, or by e-mail at: harold.t.keppner@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

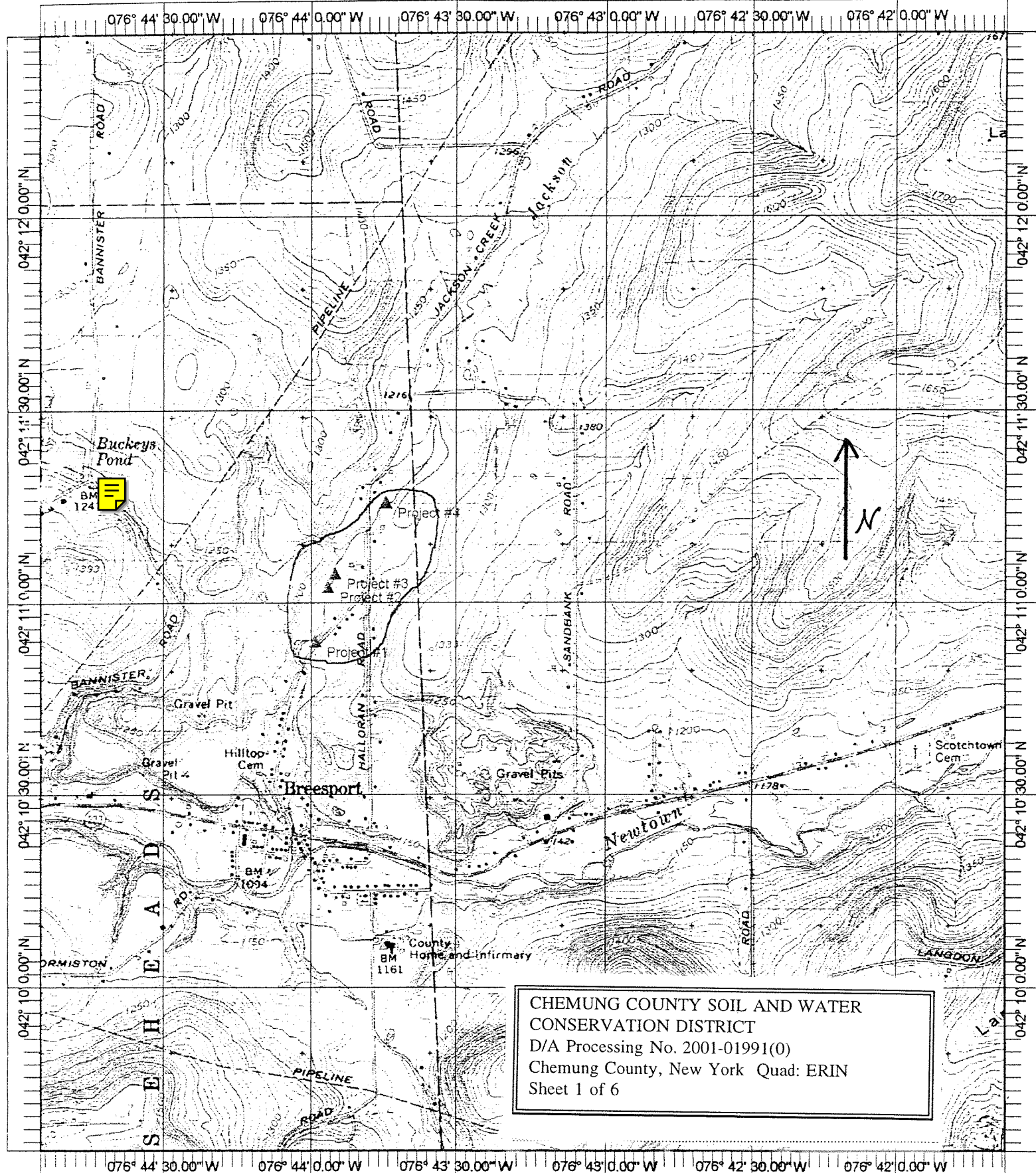
Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



CHEMUNG COUNTY SOIL AND WATER
CONSERVATION DISTRICT
D/A Processing No. 2001-01991(0)
Chemung County, New York Quad: ERIN
Sheet 1 of 6

<Default> - 4 Markers, Length = 2496 feet

Project #1 - 042° 10' 53.8" N, 076° 43' 59.1" W

Project #2 - 042° 11' 02.4" N, 076° 43' 56.4" W

Project #3 - 042° 11' 04.5" N, 076° 43' 54.9" W

Project #4 - 042° 11' 15.5" N, 076° 43' 44.4" W

Name: ERIN

Date: 5/29/101

Scale: 1 inch equals 2000 feet

Location: 042° 11' 01.5" N 076° 43' 16.2" W



Chemung County
Soil and Water
Conservation District
851 Chemung Street
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Sheet 1 of 1

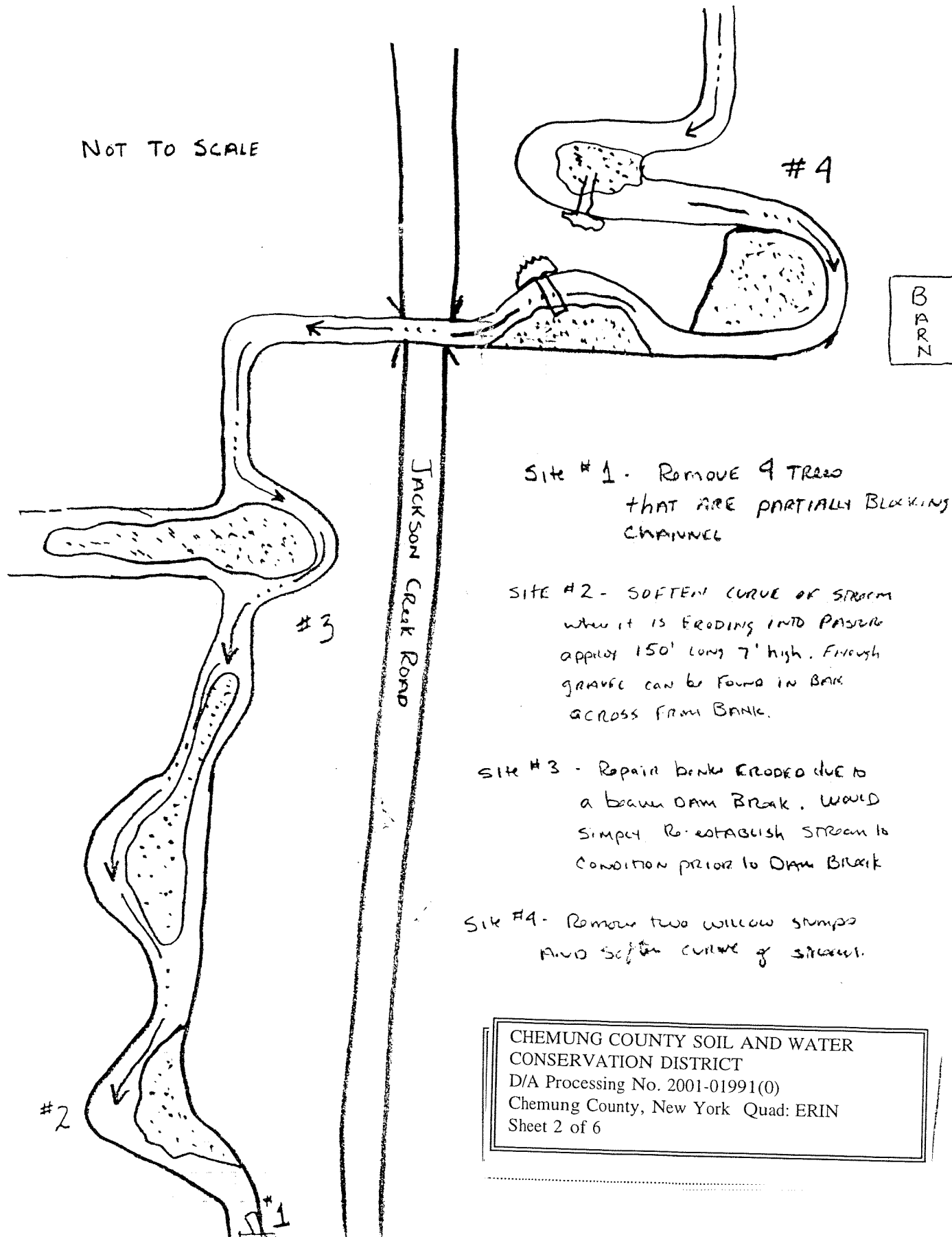
Date 5-01

Prepared by MARK WATTS

Project JACKSON CREEK REALIGNMENT Notes _____

Subject Present CONDITION

NOT TO SCALE



Site #1 - Remove 4 trees
that are partially blocking
channel

Site #2 - Soften curve of stream
where it is eroding into pasture
apply 150' long 7' high. Enough
gravel can be found in bank
across from bank.

Site #3 - Repair bank eroded due to
a beaver dam break. Would
simply re-establish stream to
condition prior to dam break

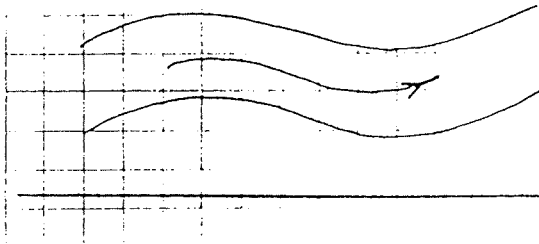
Site #4 - Remove two willow snags
and soften curve of stream.

CHEMUNG COUNTY SOIL AND WATER
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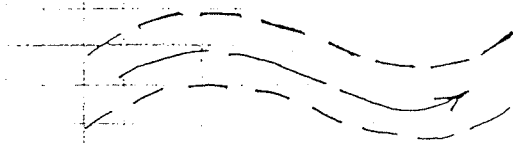
STATE NEW YORK		PROJECT
BY	DATE	CHECKED
SUBJECT KEY TO SYMBOLS FOR		

CHEMUNG COUNTY SOIL AND WATER
CONSERVATION DISTRICT
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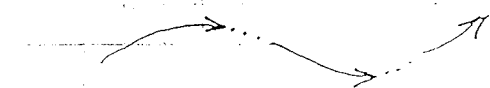
ALL DRAWINGS NOT TO SCALE



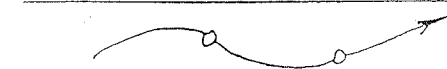
LOCATION AND DIRECTION OF STREAM FLOW
EXISTING CHANNEL



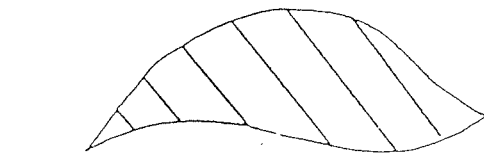
LOCATION AND FLOW DIRECTION FOR
PROPOSED CHANNEL



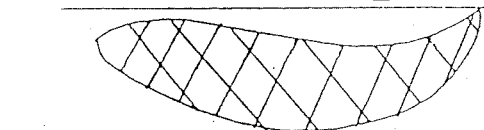
INTERMITTENT FLOW OR DRAINAGE DITCH



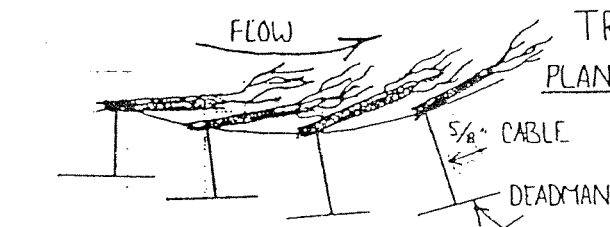
TILE DRAIN



SEDIMENT TO BE REMOVED

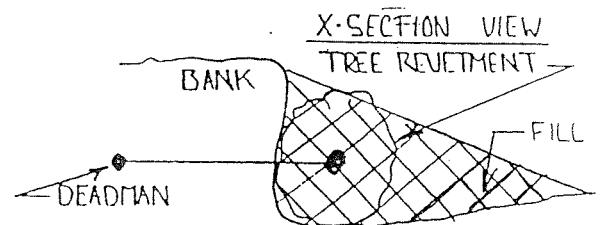


AREA TO BE FILLED

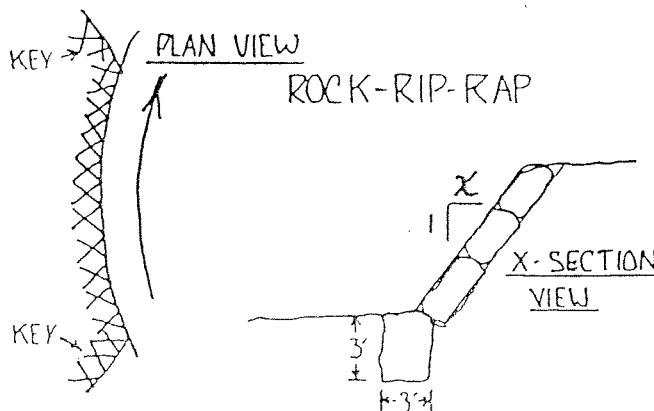


TREE REVETMENTS

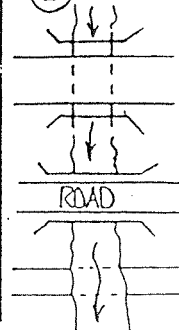
PLAN VIEW



X-SECTION VIEW
TREE REVETMENT



DEBRIS TO BE REMOVED



ROADWAY CULVERT WITH HEADWALL

BRIDGE

FORD

FIELD AND PROPERTY

BOUNDARIES



Chemung County
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851 Chemung Street
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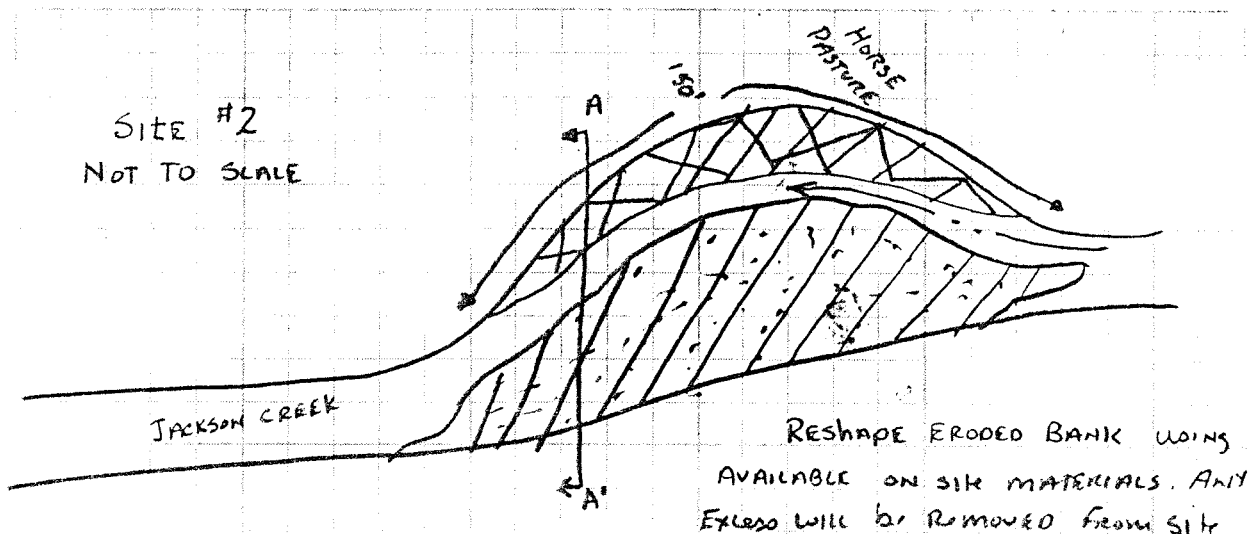
Date 6/01

Prepared by MARK WATTS

Project JACKSON CREEK

Notes _____

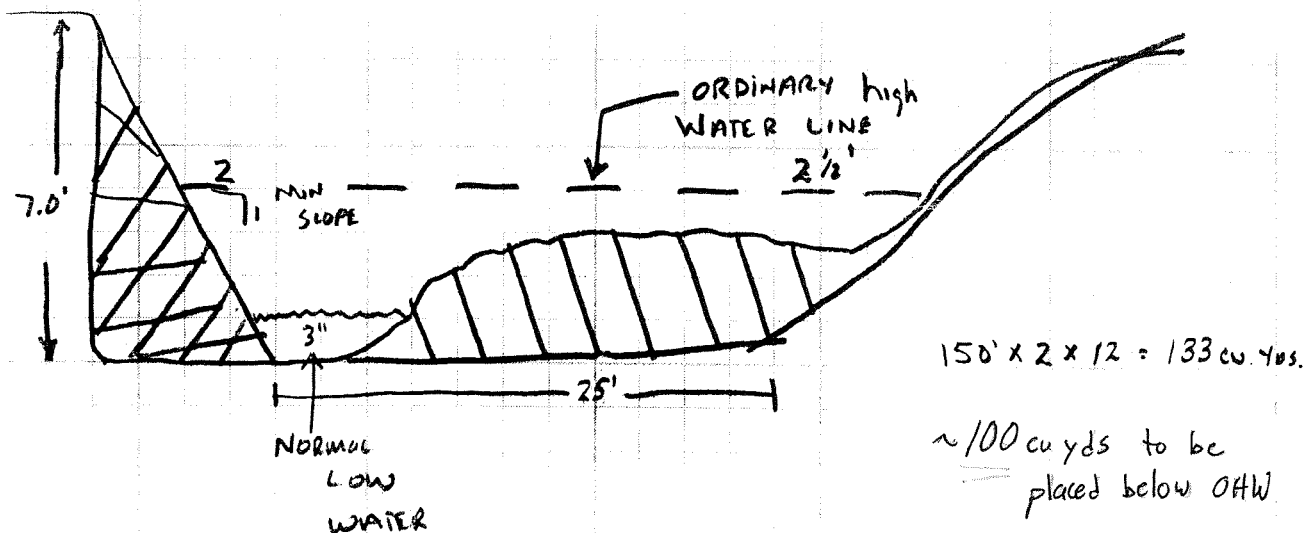
Subject SIR 2 PLAN VIEW



* AT NO TIME WILL GRAVEL BE PUSHED ACROSS FLOWING WATER

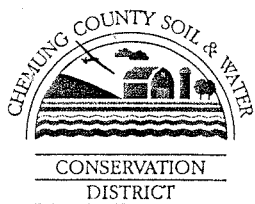
CROSS SECTION VIEW A-A'
NOT TO SCALE

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NOTE: THIS IS A TEMPORARY MEASURE OTHER WORK (SUCH AS RIP RAP) IS NEEDED TO PROVIDE A LONG TERM SOLUTION.

* The new stream bed shall be constructed with a "parabolic" or dished centerline approximately 8 inches lower than the toe of the stream bank, to concentrate low flows.



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Date 6-01

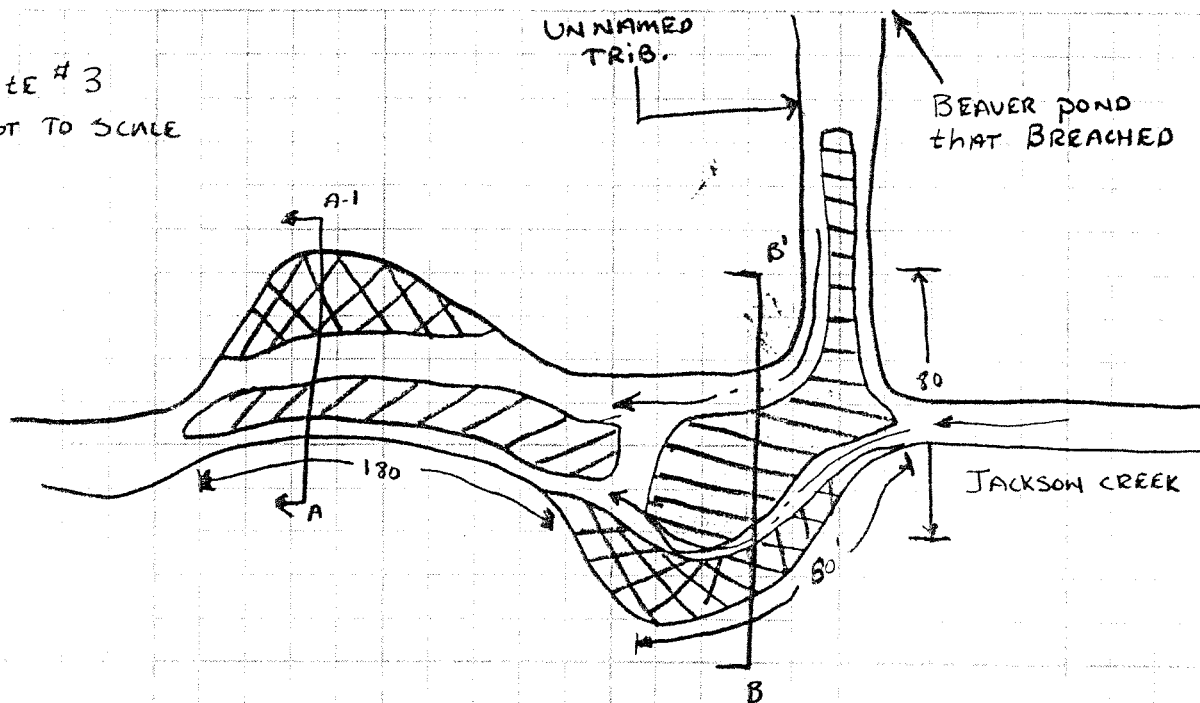
Prepared by MARK WATTS

Project JACKSON CREEK

Notes _____

Subject SITE 3 PLAN VIEW

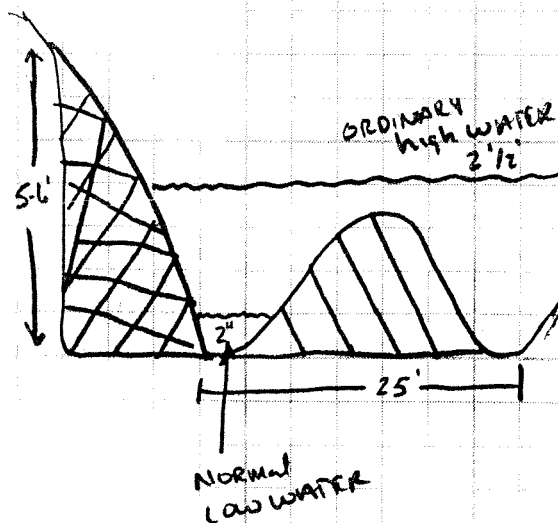
SITE # 3
NOT TO SCALE



CROSS SECTION A-A'

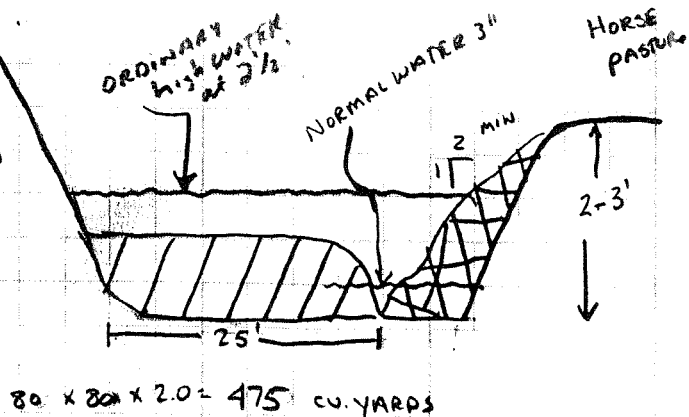
CROSS SECTION B-B'

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$180' \times 2' \times 10 = 130 \text{ cu. YARDS}$

~ 97 fabric yards to be placed below
OHW





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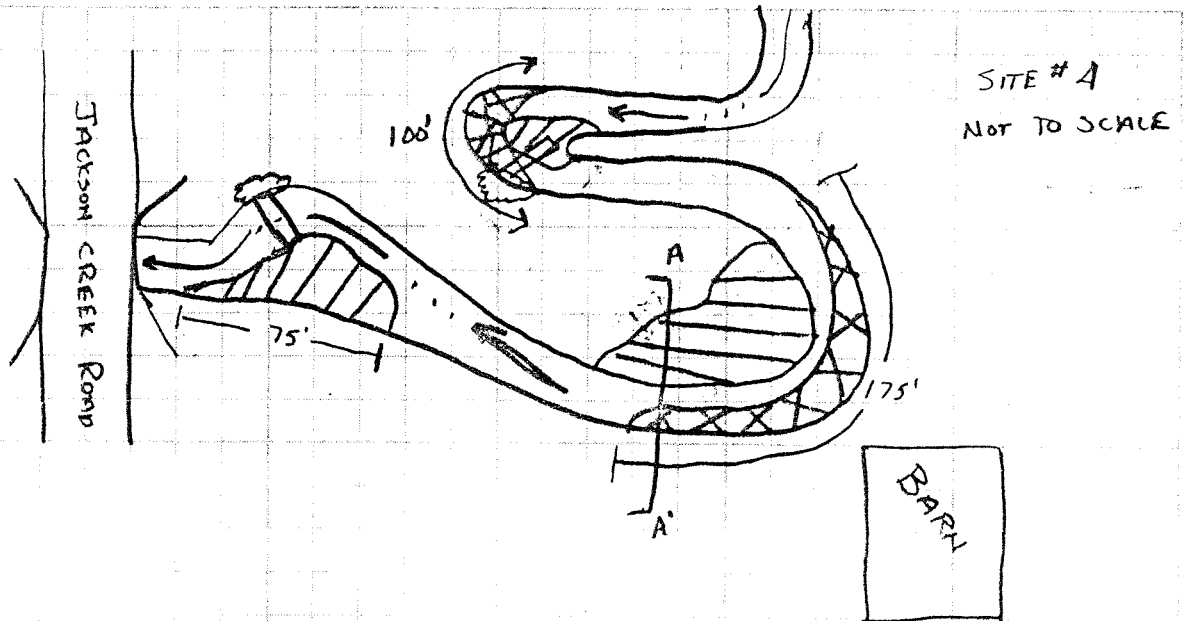
Date 6-01

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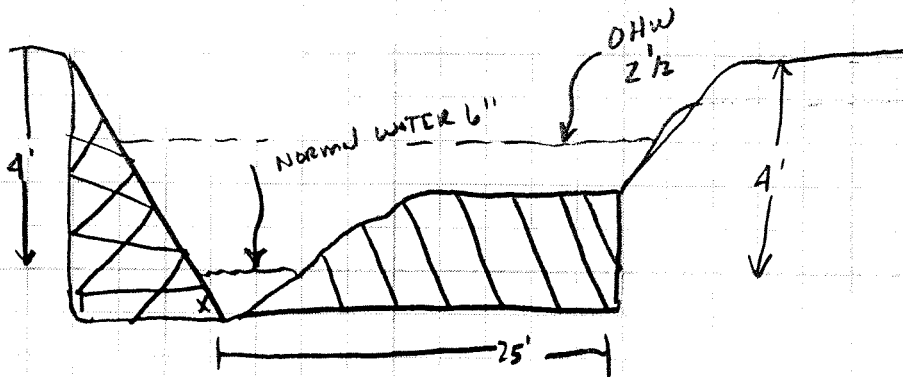
Project JACKSON CREEK

Notes _____

Subject SITE 4 PLAN VIEW



CROSS SECTION A-A'
NOT TO SCALE



$175 \times 15 \times 1.5 = 145$ cu. yards ~ 109 cu/yds to be placed below OHW

Other two areas have similar X-Sections but quantities would be different

* $75 \times 15 \times 1.5 = 62.5$ cu. yards
 $100 \times 15 \times 1.0 = 55.5$ cu. yards

* ~ 89 cubic yards to be placed below OHW.

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